

REMARKS

By the above actions, claims 1 & 11 have been amended and claims 3-5, 7, 13-15, and 17 have been canceled. Additionally, accompanying this response is a second information disclosure statement. In view of these actions and the following remarks, reconsideration of this application is now requested.

With regard to the Examiner's refusal to consider German Utility Model G 92 14 821.2 which was submitted with applicant's August, 2003, information disclosure statement, it is noted that, since the reason for not considering this reference is stated to be the fact that a concise explanation of relevance was not provided, is inconsistent with the facts. That is, the August, 2003, information disclosure statement expressly notes that "[t]his document shows detachable attachment of a handgrip 11 to the flexible material of a vehicle roof cover 3 (Figs. 2a and 3a). However, it does not show attachment of a fabric top material to its mounting frame" and such a concise statement of relevance fully complies with 37 CFR § 1.98(a)(3). Thus, the Examiner should consider and make this reference officially of record and for this reason, German Utility Model G 92 14 821.2 is listed along with the references being submitted with the current, second information disclosure statement.

As for the Examiner's objections to the specification and claim 11, the errors therein have been corrected by the above amendments in the manner required by the Examiner. Thus, these objections should now be withdrawn.

All of the claims were rejected by the Examiner under 35 U.S.C. § 102 and/or § 103 based on the disclosure of the Ferguson patent. Irrespective of whatever relevance this patent may have had with respect to the original claims, it is clearly neither anticipatory or suggestive of the present invention as defined by the claims as now presented. That is, the claims now define a mounting arrangement having a mounting element attached to the fabric of the convertible roof and a corresponding mounting element on the vehicle body, one of which is a comb-shaped flat element with openings and the other of which has clips that are engageable in the openings of the comb-shaped flat element. In contrast, Ferguson teaches attachment of the fabric to a bar-shaped fastener strip 56 which is engageable in a groove 32 of an anchorage strip 10. Such structure is fundamentally different from that of the present invention and could not lead

one of ordinary skill to the claim arrangement in an obvious manner. Thus, the rejections based on the Ferguson patent should be withdrawn.

The prior art that has been cited, but not applied by the Examiner has been taken into consideration during formulation of this response. However, since this art was not considered by the Examiner to be of sufficient relevance to apply against any of the claims, no detailed comments thereon are believed to be warranted at this time.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise, which could be eliminated through discussions with applicant's representative, then the Examiner is invited to contact the undersigned by telephone in order that the further prosecution of this application can thereby be expedited.

Respectfully submitted,

By: _____



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